

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 20277
 James H. MCLAUGHLIN : Confirmation Number: 1702
 Application No.: 09/964,143 : Tech Center Art Unit: 1617
 Filed: September 25, 2001 : Examiner: Wang, Shengjun
 :
 For: EMOLLIENT SKIN CONDITIONING CREAM AND METHOD

**NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop Appeal
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated April 1, 2008 of the Primary Examiner finally rejecting claims 37 and 44-59.

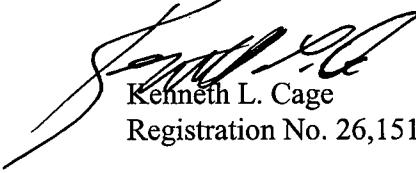
Appeal Fee: \$510.00

- Not required (fee paid in prior appeal in this application).
- Charge to Deposit Account No. 500417.
- Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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 Date: September 2, 2008

Please recognize our Customer No. 20277
 as our correspondence address.